

Ford Greene  
California State Bar No. 107601  
HUB LAW OFFICES  
711 Sir Francis Drake Boulevard  
San Anselmo, California 94960-1949  
Telephone: (415) 258-0360

Attorney for Defendants  
GERALD ARMSTRONG and THE  
GERALD ARMSTRONG CORPORATION

SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF LOS ANGELES

CHURCH OF SCIENTOLOGY )  
INTERNATIONAL, a California )  
not-for-profit religious )  
corporation; )

Plaintiff, )

vs. )

GERALD ARMSTRONG; THE GERALD )  
ARMSTRONG CORPORATION, a )  
California corporation; DOES )  
1-25, inclusive; )

Defendants. )

Case No. BC 084 642

**ARMSTRONG'S EX PARTE  
APPLICATION FOR A STAY OF  
DISCOVERY; DECLARATION OF FORD  
GREENE; [Proposed] ORDER**

Date: 9/14/93  
Time: 8:30 a.m.  
Dept: 83

Discovery Cut Off: None  
Motion Cut Off: None  
Trial Date: None

TO THE CHURCH OF SCIENTOLOGY INTERNATIONAL  
AND ITS ATTORNEYS OF RECORD:

**PLEASE TAKE NOTICE** that on September 14, 1993, in Department  
83, of the above-entitled Court, defendants Gerald Armstrong and  
the Gerald Armstrong Corporation will move this Court for its  
Order staying discovery in the above-referenced case pending a  
hearing on the special motion to strike pursuant to C.C.P. section  
425.16.

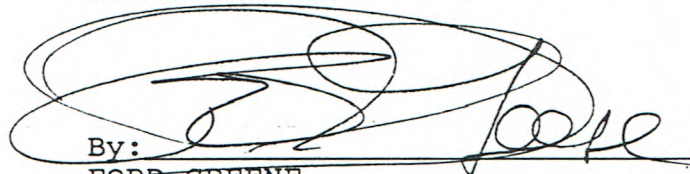
This motion is factually predicated on the grounds that the  
plaintiff has served a request for production to which a response

1 must be served on September 14, 1993 and that Armstrong has filed  
2 a special motion to strike legally predicated upon Code of Civil  
3 Procedure section 425.16. C.C.P. section 425.16 (g) requires all  
4 discovery be stayed pending the Court's determination of the  
5 special motion to strike.

6 This motion is based upon this notice, the memorandum of  
7 points and authorities submitted herewith, the declaration of Ford  
8 Greene and the files and records in this case.

9 DATED: September 14, 1993

10 HUB LAW OFFICES

11   
12 By: \_\_\_\_\_

13 FORD GREENE

14 Attorney for Defendants

15 GERALD ARMSTRONG and THE

16 GERALD ARMSTRONG CORPORATION  
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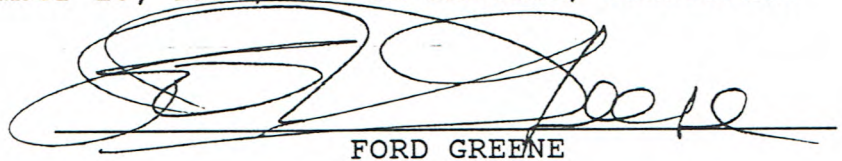
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1 Under penalty of perjury pursuant to the laws of the State of  
2 California I hereby declare that the foregoing is true and correct  
3 according to my first-hand knowledge, except those matters stated  
4 to be on information and belief, and as to those matters, I  
5 believe them to be true.

6  
7 Executed on September 13, 1993, at San Anselmo, California

8   
9  
10 FORD GREENE

11 MEMORANDUM OF POINTS AND AUTHORITIES

12 Scientology has served a first request for production in the  
13 instant case to which a response must be served on September 14,  
14 1993.

15 Code of Civil Procedure section 425.16 (g) requires that all  
16 discovery proceedings "shall be stayed upon filing a notice of  
17 motion made pursuant to this section."

18 On September 14, 1993, Armstrong filed his notice of special  
19 motion to strike pursuant to Code of Civil Procedure section  
20 425.16. Since one department of the Superior Court cannot enjoin  
21 or otherwise interfere with the judicial act of another department  
22 in the same court (Elsea v. Saberi (1992) 4 Cal.App.4th 625, 631,  
23 5 Cal.Rptr.2d 742), and Scientology is already litigating a  
24 lawsuit in another department of this court that is substantially  
25 identical to that at bar, Armstrong is likely to prevail on his  
26 special motion to strike.

27 ///  
28

1           Therefore, Armstrong's ex parte application to stay discovery  
2 should be granted.

3 DATED:       September 14, 1993

HUB LAW OFFICES

A large, stylized handwritten signature in dark ink, appearing to read 'FORD GREENE', is written over the 'By:' line and extends into the text area below.

By: \_\_\_\_\_  
FORD GREENE  
Attorney for Defendants  
GERALD ARMSTRONG and THE  
GERALD ARMSTRONG CORPORATION

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FORD GREENE  
LAWYER

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LICENSE No. 107601  
FACSIMILE (415) 456-5318

September 13, 1993

Andrew H. Wilson  
WILSON, RYAN & CAMPILONGO  
235 Montgomery Street, Suite 450  
San Francisco, California 94104

By Telecopier  
415-954-0938

RE: *Church of Scientology International v. Armstrong*  
Los Angeles Superior Court  
Case No. BC 084 642

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Dear Mr. Wilson:

This letter will put you on notice that Mr. Armstrong shall make an ex parte application seeking to stay all discovery in this case pursuant to C.C.P. § 425.16 (g). Said application will be made tomorrow morning at 8:30 a.m. in Department 83 of the above-entitled court.

Sincerely,

FORD GREENE

:acg

cc: Laurie J. Bartilson  
Paul Morantz  
Gerald Armstrong



FORD GREENE  
LAWYER

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DATE: September 13, 1993  
TO: ANDREW H. WILSON, ESQUIRE  
TELEPHONE: (415) 391-3900  
FAX TELEPHONE: (415) 954-0938  
FROM: FORD GREENE  
TELEPHONE: (415) 258-0360  
FAX TELEPHONE: (415) 456-5318

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DOCUMENT INFORMATION

This Fax Communication consists of this cover sheet plus 1 pages comprising the accompanying document.

Letter re ex parte application in Armstrong III

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INSTRUCTIONS

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IMMEDIATELY.

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OTHER: